

Gray (J. P.)

THE UNITED STATES

vs.

CHARLES J. GUILTEAU.

Indicted for Murder of James A. Garfield,
Twentieth President of the
United States.

OPINION OF JOHN P. GRAY, M. D.

Superintendent of the Utica Insane Asylum,

ON THE

Question of the Sanity of the Prisoner.

WASHINGTON :
1882.



WASHINGTON, D. C., Nov. 12, 1881.

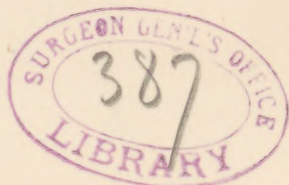
HON. GEORGE B. CORKHILL,

U. S. District Attorney.

DEAR SIR: In accordance with your request that I should furnish you in writing what I communicated verbally, of my examination, by your direction, of Charles J. Guiteau, confined in jail in Washington, under indictment for the murder of President Garfield, together with my opinion of his mental state and the reasons therefor, I submit the inclosed.

I made the examination thorough, bearing in mind the great responsibility of the case and your instructions that I should take my own time and way, so as to reach a satisfactory conclusion, and then give you the result. I also kept in mind your cautionary declaration that I must make the examination so thorough that the Government could rest its action on it, whether it would bring him to trial or not; that the Government, after full inquiry, had selected me for this duty and responsibility; that if I found him insane, or in a doubtful mental state, he would be sent to the insane hospital; if I found him sane, the Government would use all proper means to bring him to justice for the crime.

In view of all this responsibility, I not only took great pains in my personal examination, which extended over the greater part of two days, but I was careful to take down in writing, at the time, in the presence of the prisoner, such facts and declarations as were elicited in the examination bearing on the question of his mental state; and these I subsequently read to the prisoner.



The accompanying statement, herewith submitted, embraces substantially what I gave you verbally, and read from memoranda mentioned above—the memoranda, or notes, I give verbatim. The statement presents also substantially, the comments and reasons presented to you for the opinion expressed—which I here repeat—that the prisoner is, in my judgment, a sane man and fully responsible for his acts.

Permit me to add that I have thought over the deliberate remark you made on receiving my opinion, that personally you would rather I should have found him insane, but should now act on the result of my judgment. I have gone over the case carefully and thoughtfully, since, and I can reach no other opinion than that already given.

Yours, very respectfully,

JNO. P. GRAY.

After receiving your instructions of November 7th, 1881, I went to the jail and presented the letter to the officer, and asked that Guiteau might be brought to the Warden's office, and said that they might say to Guiteau that Dr Gray was there to see and examine him. The jail physician came out and asked me if I proposed to give the prisoner my name, and let him know who I was before examining him. I replied: "Yes; that was my custom." He said: "I am afraid if you do so he will take the opportunity to play his pranks." I replied, "I have never examined anybody except fairly, openly, and in my own character." Guiteau was brought to the Warden's office. He asked me if I was from Washington city. I said, "No, from Utica." He then said, "Dr. Gray of the Utica Asylum?" I said, "Yes." He then said, "Oh! I recognize you now. When I was at the Oneida Community, Victor Noyes, the son of Mr. Noyes, was a patient at the asylum and after he came back he told us a great deal about it."

I conversed with him quite fully in regard to the Oneida Community, their social customs and religious views and practices, the business carried on while he was there, their relations to the outside world, &c., and respecting his own life there. He talked clearly and intelligently and quietly—in manner and speech he was respectful in every way.

I then inquired of his childhood, boyhood and manhood at his home; said he was born in 1841, his mother dying when he was seven years old; detailed his home life, his schooling—mostly in a private school; said he had been in good health all through his early life, did not recall any illness, never had any accidents of account in playing; said his father always had an abundance, though

he was not rich, and he had good wholesome food; his father held several public offices from time to time and he was a clerk in his father's office after growing up to manhood; his father was a strong temperance man and was against the use of tobacco, and he as a boy did not smoke nor use liquors. His idea always was to get a good common education and then go to college and go into the profession of law; his father did not favor college or law, but wanted him to go to the Oneida Community and settle with them for life; said his father finally yielded and let him go to Ann Arbor, Michigan, he agreeing to pay his way with some money left him by his grandfather. As soon as he entered school his father began to urge on him the religious views of Mr. Noyes of the Community, sent him the "*Berean*" and "*Circular*," publications of the Community, and wrote him long letters, sometimes half dozen sheets on the subject; he finally got thoroughly interested and resolved to go and did go; said he studied hard there for more than a year and was in good health; said his sister, Mrs. Scoville, and others tried to persuade him not to go.

I again questioned him as to the Community, and he gave an account of his "antagonism" with the leaders; said his life there was a "crucifixion"; said he at one time while there determined through the aid of outside friends "to show them all up"; that he went to Utica to confer with District Attorney Jenkins, but finally abandoned the idea; said the leaders then advised him to take a trip to New York and Connecticut, and he went with others and spent several weeks and had a good time and returned more contented; said after this he did some writing and determined to make an editor of himself; he got into difficulty with the leaders and he finally went to New York with the intention of getting up a daily newspaper advocating the Community ideas and customs; this was a failure. He described his experience and the little encouragement from newspaper men and no support

from monied men, and his return. He finally got into trouble again as he was in every way put down and kept constantly at menial work. He then, through the aid of his brother-in-law, Mr. Scoville, got away clandestinely and went to New York and there commenced the study of law. He said he was in good health during all his life at the Community and always had an abundance of good food and sleep; said "these were cardinal virtues there."

He detailed his difficulties in New York in the study of law; said he got from the Community, the money he put in, most of which he spent while in New York; that after some months he went to Chicago and continued the study there with his brother-in-law and Gen'l Reynolds and finally was admitted to the bar. Soon afterwards he was married in Chicago; and this he said was a mistake as the marriage was an unfortunate one, and afterwards he was divorced. Then said to questions asked, that he had practiced law in New York for four years successfully until he got into difficulties and the New York *Herald* attacked him and ruined his reputation. He described his life afterwards in Chicago, and his going about the country lecturing. I asked him how he managed to keep in good health going about as he did. He replied, "I always stopped at the best places, had good food and always managed to secure eight or nine hours of sleep."

"Q. You have referred to your marriage as unfortunate; what do you mean by that?

A. Well, it was as to the woman I married. I got her on my hands on very short notice; not over ten weeks. Then I proposed to her at ten o'clock in the morning and we were married at six in the evening. There were no agreeable relations between us. I made up my mind that I would not fasten myself through life to such a woman and I determined to get rid of her and the whole thing."

He then described her as rather a good-looking woman, regular features and pleasant face, but not what he wanted. To the question whether she was an ignorant person, he

replied: "Oh, no; she had a good enough education and was a good enough woman, but she did not suit me." Said they separated in August, 1873, and the divorce was got in April, 1874; that she went to live with her friends in Philadelphia after the separation; that the friends were well satisfied for her to get a divorce; that he got a lawyer—a friend of his in New York—to get the matter up. The divorce was all arranged and settled quietly, without getting into the newspapers. Said in answer to questions, that the matter was brought before Judge Pratt of Brooklyn; that he (the prisoner) went to a house of ill-fame and committed adultery, and had the woman make oath to the fact, and arranged to have this settle it by his not appearing. Said this was the only way he could do, as the law in New York only granted divorces for adultery, and he was determined to get rid of her. He said in reply to a question that he was married in Chicago in 1869. Down to this point there was no evidence of insanity or of ill-health. He manifested egotism and self conceit and asserted his own abilities as equal to the leaders of the Community, but that he unfortunately lacked education; said for this he could not forgive his father.

Coming down to the Presidential campaign, he went fully into the subject; spoke in the most familiar way of prominent men, but in giving the detail of what he actually did he could show but one speech delivered once to some colored people, the rest of the service was keeping about the headquarters of the committee, reading newspapers and talking casually to those he met. Questioned closely, I found he knew the prominent men only by seeing them and exchanging occasionally a few words. He had never been invited to the house or committee rooms of any of them; said that during this time he did some work in the way of soliciting insurance and down to the time of coming to Washington on the 5th day of March, 1881.

All this shows there was no change in him in any way.

Certainly nothing suggestive of insanity, or of any interest in politics beyond looking out for himself. As soon as the election was over he made application for office directly to the President. He told me he believed in the power of personal application above all recommendations, as any one could get letters of recommendation. In giving the detail of his experience in Washington from the 5th of March, there was nothing special down to the 14th of May. Before that he made application to the President and Secretary of State, for the Paris consulship, talked to some of his friends about it and received promises of aid. He said he got into "a first-class boarding house," and mingled with the best people and waited patiently for the time when the "dead-lock" in the Senate would be broken. Said that he was told by men in the offices and by political leaders, that he must wait, that nothing could be done until the tie was broken and he acted as men generally would. On the 13th of May, this state of things changed, and on the morning of the 14th, he was at the office of the Secretary of State to urge his application. He was received but his application was not listened to; when he pressed it he was informed that there would be no vacancy made in the Paris consulship. When he began to urge the matter and said that the incumbent, Mr. Walker, had no claim on this administration, the Secretary told him the President would not remove Walker, and finally told him never to speak to him (Blaine) on the subject again as long as he lived. He simply said he should go to the President; he did go on the morning of May 16, the day of the resignations of the New York Senators, Senators Conkling and Platt; went again the 17th, neither day was admitted; went on the 18th, sent in his card, waited and saw others come, send in cards and go in and come out; finally he told the person in attendance that he had sent in his card and had received no answer; the man went in and Guiteau standing near the door, slightly open, heard

the man say "what shall I say to Mr. Guiteau, who is waiting," and heard the President reply, "say I cannot see Mr. Guiteau to-day," and he at once left the White House.

That night the idea of putting the President out of the way came into his mind when he was preparing to go to bed ; in the morning he thought of it again. He did not again go to the White House. He said nothing to any one about this. Said he thought it over; read the papers; after awhile concluded to write to the President, and did write three letters, none of which were answered. At the end of two weeks he resolved to remove him. He wrote those letters to get a final answer whether or not he would give him the consulship. Admitted if he had got a favorable answer he would not have gone further. He gave me, in answer to questions, as heretofore, an account of thinking then how he would do it and when and where. Walking up Pennsylvania avenue his eye fell on some pistols in a shop window and he went in and after examining them purchased one, and soon after took it. Had never shot a gun or pistol. Asked about it and then practiced till he was able to hit a stick about four inches broad a few steps away.

Then he wrote to Boston and got a copy of his book to revise it for publication and sale; said he knew it would have a great sale under the excitement the killing would produce. Detailed, under questioning, four preparations for the deed. Once at the church where he examined the ground and then determined he would do it the next Sunday, but the President was not there. Hearing he was going away he prepared to do it at the depot; got everything in readiness; had a hack hired to carry him away to the jail so that he could give himself up and had all his papers in readiness for the public, but he was deterred at the last moment by the fact that Mrs. Garfield was with the President and was leaning on his arm and looked so weak and sick that he could not do it. Then he resolved to

take him on his return; was at the depot, but it was very hot and his sons were with him; then he thought of shooting him as he came out of the White House, and went to the park, in front, but thought there were too many people about and abandoned that. Subsequently, while in the park he saw the President come out and he followed him up the street and saw him go into Mr. Blaine's house and stepped into a side alley near and waited, determining to shoot him when he came out, but Mr. Blaine was with him and he could not get a good opportunity. Finally he heard the President was going to Long Branch and he prepared for it, determined to do it, and this was on the 2d of July. He practiced with his pistol that morning and made all preparations; went to the depot beforehand and engaged a carriage for \$2.00 to take him out to the Congressional cemetery (near the jail) from which he could at once go to the jail safely and escape the mob. Among other things he got his boots blacked at the depot and walked about with the people in the depot. Said he had to nerve himself up to it when the time came. He put his papers for publication in the hands of a newsboy for safe keeping, so directed that they would go to the public.

Had a letter addressed to Gen'l Sherman in his pocket to use asking him for protection. He watched from the window, and saw a cab drive up, and saw the President and Mr. Blaine with him — saw them get out and talk together on the sidewalk in a very earnest manner, and when they started to come in he took his position inside of the entrance door, and when they stepped down the aisle he stepped forward and fired. He thought the first bullet did not hit him, and fired again, and he saw him sinking down, and turned to go out, and was arrested. He said he did not, himself, at the time, speak a word.

Period from March 5 to July 2.

First, came to Washington for office; claimed office as

a political reward. Whether he overestimated his qualifications, or his political services was quite entirely immaterial. He made no claim for office on the ground of being inspired, either in the inception of the application for office or in pressing his appeals or in asking his friends for recommendations. From the 5th of March to the 14th of May, when he saw Mr. Blaine and was rebuffed by him, in his application for the Paris consulship, his life was that of a hanger-on, hoping in the scramble to get something. When Mr. Blaine rebuffed him he said it hurt his feelings. *From that time he never spoke to Mr. Blaine nor wrote to him.* He clearly recognized the fact and stated it, that Mr. Blaine would do nothing for him, but was opposed to him. He made no remonstrance, did not assail Mr. Blaine, either at the time or subsequently, by speech or menace; on the contrary discreetly kept quiet; did not mention this rebuff to any one of his friends; kept it to himself; showing what control he had over his *feelings* and *emotions*. On Monday, May 16, he went to the White House, that being the day when the resignation of the New York Senators was announced. He did not gain admission then or on the next day, Tuesday. On Wednesday, the 18th, he gained admission, waited a while, sent his card in, and through the partly opened door heard the President tell the messenger: "Say that I cannot see Mr. Guiteau to-day." He did not say a word in reply to this to any persons about him; acknowledged that he understood this to be practically a refusal; *controlled himself thoroughly*, and that night after thinking the matter over "it flashed across his mind that if the President was removed things would go better." I directed my attention especially to this point, as this was the *inception* of the crime. He said it was only an impression that night. In the morning he thought it over again, and kept thinking it over. The more he thought about it the firmer his resolution was to do it. During this period he

admitted that he *wavered* at times, and at length resolved to get a *final answer* from the President as to the consulship, and if he got it, it would deter him from killing him; that if he did not, he should do it. *He never went to the White House or called upon the President after the 18th of May*, but said he had addressed him two letters upon the subject, to neither of which did he receive any reply. After about two weeks thus deliberating and not getting a reply to his letters, he made up his mind to the killing. Here there was no *inspiration*, and no *claim of inspiration* for the *inception* and development of the deed. In my conversation in connection with *this point* he never alluded to the *Deity* neither did he at this time or covering this period allude to the political situation as forming any grounds for the *inception* of the idea of killing the President. Thus far it seems to be a mere matter of personal motive from wounded vanity and disappointment, though he *afterwards* referred to the political situation as a ground for removing the President. There is nothing in regard to his statements thus far which suggests insanity or any insane delusion or delusion of any kind.

I went over this portion of his history, physical and mental, very carefully, asking him questions in various directions, and when I said directly to him that the Deity had nothing to do with *that* period; there was no *inspiration* there; he said he had not claimed any for that, but immediately seeing his position in the answer, he added that he claimed *inspiration after* he had fully determined on it. In connection with the *inception of the crime—the essential starting point*—he not only did not refer at this interview to the political situation or to the Deity, but never alluded to praying to God or calling upon Him in any way for counsel, advice, or guidance. I said to him (and I took all down in his presence and read the parts quoted to him):

“You say your defense is insanity?” And he replied :

"Yes, that is my whole defense; insanity, inspiration; and the work of the Deity."

I then asked him :

"Upon what grounds, in your mind, did you put the killing of the President?"

A. I considered the removal of the President a political necessity.

Q. How can you show it a political necessity?

A. If you will read the papers in May and June you will see the political situation.

Q. But I do not see that this created such a necessity.

A. If you will read the communications which I prepared for the public, and which the District Attorney has kept, you will see how I have explained it; and that I there claim that I am not responsible for murder.

Q. What do you say in regard to the question of insanity?

A. I do not claim to be insane as a medical man would judge—what is ordinarily called insanity—but legal insanity.

Q. How would you define the kind of insanity you assert as a defense?

A. It is insanity in a legal sense, an irresponsibility, because it was an act without malice, and was a political necessity. I do not think it would be murder without malice, as I have shown in the *New York Herald* of October 6.

Q. How did you come to think of insanity as a defense; when and where did it occur to you?

A. I knew from the time I conceived the act if I could establish the fact before a jury that I believed the killing was an inspired act I could not be held responsible before the law." (He paused a moment and then added): You may add this, that the responsibility lies on the Deity, and not on me, and that, in law, is insanity.

Q. How can this appear in evidence as a fact?

A. I see that, but I think I can answer it. Suppose you take it down: That if the jury accepts this as my belief, and if the jury believes as I believe, that the removal of the President was an inspired act, and therefore not my own act, they are bound to acquit me on the ground of insanity. I have looked over the field carefully.

Q. You were two weeks cogitating and thinking this over?

A. I was two weeks before I made up my mind as to the political necessity, and determined to take the first chance at him. I came to this slowly.

Q. You now put in political necessity.

A. I did not think one way or the other just at first as to the political necessity. This came out of the contemplation of the political situation.

Q. Still I do not see how you could arrive at this as a defense?

A. I knew if I could establish that the act was one of inspiration it would be a complete bar."

After I read this over to him he said :

"Put in after inspiration 'by Deity.'

Q. Did you think it out in words in that way?

A. I don't know that I thought this especially in words, but I knew this was the law. This is fundamental law and the idea runs through all.

Q. I ask you again, can you state just when this idea of the defense of insanity first came up in your mind?

A. I can't state just when it came up in form, but it was latent as a part of my general knowledge on the subject. I want you to put in the idea that it was the Deity, for this is my only defense."

These statements he made deliberately, at times walking up and down the room, and I read over each of his statements to him as they were taken. At this point I left, saying I should return after he had his lunch. On my return I did not continue the conversation in the same line which I had left. I said :

"You said this morning that the theory of the Community was that when you entered it was for life. You gave all up. How did you get the \$1,000 when you left which you put in?"

A. I let them know that I would clean the whole thing out if I did not. I intended to do this, as I told you, and went to Utica once to see District Attorney Jenkins, but I afterwards gave it up.

Q. Did I understand you were once in the office of General Reynolds, of Chicago?

A. I was ; and while there I was admitted to the bar.

Q. You spoke this morning of the political atmosphere and the utterances of the trusted leaders of the party, why should you refer to these in all this matter when you in no instance conferred with them?

A. Well, you can see that by reading the papers. I saw, and everybody did, that there was trouble, and that Garfield was a traitor to the party. He was making his appointments without consultation with such men as Conkling, Grant, and others. Why they used expressions, and so did others, and that the papers will show, which were as hard as any I used.

Q. Admit this, but you were not in their personal confidence?

A. No, but I was all this time drinking in these things from newspapers and breathing in the political atmosphere, and in this way I conceived the idea of removing the President as a political necessity.

Q. Why do you say necessity?

A. Well, call it destiny or predestination. I have always believed in both.

Q. Why do you put these two words together?

A. I believe men have a destiny, and this is a very common thing.

Q. What facts had you in regard to the President in all this, which influenced you in reaching the idea? All you have here referred to was mere talk.

A. No, sir; look at the appointments; the Robertson collectorship and all during the dead-lock in the Senate. The feeling was very bitter. On the Robertson matter it was intense, and that act split the party.

Q. I do not think so; but parties have been split before this. Do you mean to say this created the political necessity for what you call the removal of the President?

A. I mean the whole thing, going back to the nomination of Garfield and the feeling at Chicago, and all that sort of thing, and the appointments.

Q. What had Deity to do with all this, and how do you at the same time explain how destiny, political necessity, and Deity are concerned in such affairs, and all together.

A. You remember Senator Conkling said that nothing but an act of God could prevent Grant's nomination.

Q. How did you understand that remark of the Senator?

A. Well, he believed it was so secure that man could not prevent it.

Q. You mean, I suppose, that General Grant had the votes and the greater claims on the party?

A. Yes; the Senator thought so and others did, and he ought to have been nominated; but let that go. I have said in the *Herald* article, if you will run it over a little more (he had brought it in for me to read), that Garfield had done all this that I have told you; you will also see there that I claim it was Deity.

Q. Yes, I see you do, but how does all that help the matter of defense by insanity?

A. I want to show you that if Deity did this it was not my act, and this is my defense.

Q. But you knew what the law was and the punishment for its violation?

A. Yes, I admit that I did, but I claim that it was a pressure of the Deity on me.

Q. You did not do it suddenly, but after careful preparation,

and you have said, I see in the *Herald* article, that you had to work yourself up to it?

A. That is all true.

Q. Then you did have to work yourself up to the point of doing the act?

A. Yes; and I will here say that the *Herald* account of all this part is literally true. The reporter took it down word for word.

Q. Is the article all true?

A. No; for he has put things in of his own; the notes about me and my conceit, &c.; I had nothing to do with that.

Q. You say you at last came to the final and fixed purpose to do the act some time after the 16th of May?

A. Yes; two or three weeks after that.

Q. You have said that in the meantime the application for the Paris consulship was pending and you were waiting for a final answer?

A. Yes, and for all that it is still, for I never got a final answer.

Q. You said if you had got the consulship you would not have taken off the President?

A. That is so, but you see I have put in the *Herald* article that this would have made no difference.

Q. I noticed that, but the two statements could not harmonize; and I see you use the word "deter," it would have "deterred" you?

A. That is true.

Q. Then it was balanced in your mind at one time that if you got the consulship you would not and if you did not you would?

A. Yes; but that was not after I had fully made up my mind, but before I had fully determined.

Q. Before the final answer; or while waiting for it; or when?

A. I said that I never got a final answer, and that it was still pending.

Q. This is going too far. You have said that after a certain interview with Secretary Blaine, you did not call on him again, and did not speak to him afterwards; why was this?

A. I knew he was opposed to me and would do nothing for me, and I determined to go to the President.

Q. How about the President in the matter?

A. About the same thing, only I did not see him. He sent me word that he "could not see Mr. Guiteau to-day."

Q. You must have understood this?

A. Of course I did, and I understood that General Garfield was a traitor to the party that made him.

Q. How did it come about that you changed your plans so frequently about the killing?

A. I was ready but I wanted to make a sure thing of it.

Q. Let me ask you again about your plans for personal safety. You kept that in mind as well as the defense.

A. I thought it all over, for I gave my mind all up to it for a time.

Q. Why did you not take chances if it rested with the Deity?

A. With a mob? I knew what a mob would do. I knew it would create the greatest excitement.

Q. But you wrote to General Sherman, you say?

A. That was to make sure of it, and experience showed I was right. I wanted the jail guarded.

Q. Had you any other idea in writing to him?

A. No; he was the man that had the power to do it.

Q. You have referred to the idea of inspiration a number of times as a part of your religious belief, where did you get that?

A. I got that from my father, who was a firm believer in it, and it is a part of the doctrines of the Community as I have told you. Noyes and the leaders believed themselves as agents to carry out the will of the Deity. You see I was brought up to the most orthodox views, even to a special Providence.

Q. Then all this is nothing new?

A. No, not exactly.

Q. But I want to come down to the facts of the matter. Speculations are all very well in their place, but you must know, as I have said before, that insanity does not rest on speculations, but is a fact, not a theory. Have you had any sickness?

A. None whatever, only what men generally have. Since I have been in jail I have had the malaria, and have been sick from it, but I have got over it.

Q. Have you suffered from sleeplessness?

A. No, I can't say that I have.

Q. I notice that in the *Herald* article you say you went to bed rather earlier than usual the night you determined upon this act?

A. Not when I determined upon it. You will see it was when I first conceived the idea. I had not determined upon it until after two weeks reading the papers and thinking it over.

Q. I ask you again. The conception of it was after you had failed with Secretary Blaine?

A. I did not speak to Blaine after this.

Q. Why did you go to bed earlier than usual that night?

A. I was tired and had nothing to do.

Q. You said in answer to a question this morning that you had not made a formal application for the Paris consulship?

A. I said I had spoken to Logan and Blaine, and had written the President, and that I thought I had a right to ask for it.

Q. What about the attempt to shoot you here?

He then detailed to me the attempt of the soldier on guard who attempted to shoot him through the window, and got in the relative position he occupied when in his cell when the attempt was made; showed how he was standing near the window looking out and how near the bullet came to his head. He also described to me what he claimed to be an attempt to kill him by the guard one night in the jail. These, he said, were evidences of what he called special Providence. I said: "But you demanded each time further protection than Providence?" "Yes," he said, "but Providence generally employs the means necessary." He then asked me if I had seen the law journal with the Guiteau case in it. I said: "No, what journal?" He said, "a journal published in this city;" said that Mr. Scoville had brought it out and said it was quite a fair article; that he had asked Mr. Scoville whether it was for or against him, and that Mr. Scoville said it was partly one way and partly the other, but rather in his favor, and I promised to read it. On my leaving he said: "Remember what my defense is."

I saw him again the next morning; I asked him about his father; he said his father had died at Freeport, Illinois, in 1880, about 70 years of age; that his father had never been a member of the Oneida Community, but was in full sympathy with its doctrines for 25 years. Every year or two his father made a visit to Mr. Noyes, and kept up a constant correspondence with him. He had never heard that his father had anything to do with the Community or its views while his own mother lived. She died in 1848, and about 1853 his father got interested in the Community. The second wife was very much opposed to the Community. His father went there once on a short visit and she went with him. His father afterwards was there for some months; that was in 1863, and while he (the prisoner) was in the Community. The second wife was so opposed to his going there that he was not willing

to go, and the Community did not wish him without his family. Just at that time his father was out of business ; he had just finished a term of office as clerk of the court, which he held by election, and subsequent to this he took a position as cashier of a bank in Freeport, which he held to the time of his death in 1880. Said his father had lectured in Freeport on perfectionism, but he never went out lecturing. While his father was full of the ideas of the Community, he still was a very good and capable man. His father had not been a church member for a good many years, but when he was there he held a pew in the Presbyterian church ; his father lived rather an isolated life in a large measure owing to the want of sympathy of others with his religious views.

“ Q. How did people generally look upon your father?

A. He was looked upon as a good man, and strictly honest ; but a good many considered him insane on the point of the Community.

Q. Was he engaged in business all this time?

A. Oh, yes ; and you may put this down as bearing on the heredity point in this case, and say that when he talked upon the subject he looked and acted like an insane man and like a real lunatic, for his eyes were as wild and he was as excited as one could be, and he would brook no opposition. Hereditary insanity will be a strong point in the case.

Q. What about insanity in your family?

A. An uncle on my father's side died in an asylum, and one cousin, the son of a sister of my father, died in an asylum in Illinois, and another cousin, the daughter of another aunt, is in an asylum in Michigan. Then, as I say, my father was considered insane on the subject of the Oneida Community.”

I asked him in regard to his mother's family, but he knew of no insane members. From this statement there is no ground to infer heredity. In regard to his father, it must be remembered that religious views or fanatical ideas are not insanity and are not inherited, but the result of education and training and inquiry. Insanity in cousins is no evidence of heredity. The disease insanity cannot in any case be transmitted—only a susceptibility

of the physical organs to take on disease under the ordinary causes of such disease more readily than when the parents have not suffered from it; and this is only the occasional result, by no means the rule. This is the whole of hereditary insanity, and this can come only in the direct line of parentage.

Q. Did he talk to you about the Community when you were a young lad?

A. Yes; just before I went to Ann Arbor, and while I was at school in 1860; then father urged me to join the Community, and wrote long letters to me of five and six pages to effect this.

Q. When did you go to Ann Arbor?

A. I went to Ann Arbor in 1859 and left in June, 1860, and I was then full of the ideas of the Community and Noyes, but still I did not want to go when I did, and only went at my father's urgent request.

Q. What did you do with those letters of your father's?

A. I afterwards burned all his letters to get the stuff out of my mind.

Q. How long were you in the Community?

A. I was there from June, 1860, to November, 1866, but I was out in the New York agency from April, 1865, for a few months, but went back in November, 1865, and stayed a year until November, 1866, and I have never been there since; neither have I held any correspondence with them."

He then denounced Noyes and Hamilton, and spoke of the practices of the leaders and the "social experiences," and what he said they called "The ascending and descending social scale." He described this as putting the young men with the old women, and the leaders with the young women; spoke of his dissatisfaction there, and that he had threatened often to expose them while he was there; spoke, again, of going at one time to Utica to see District Attorney Jenkins, but finally concluded to drop the whole matter. He said when he went to the community he really believed the social doctrines and views; believed in the "sanctification of the body," so that what was called sensualism was entirely proper; that it was simply a gratification of a natural body. He referred to the circumstance where he got interested in a young girl there,

and Mr. Noyes interfered, and he then appealed to Mr. Hamilton in his own behalf; but Mr. Hamilton only assisted in breaking the thing up. He claimed that he afterwards had repudiated the whole doctrine of the Oneida Community; that it was an inspiration of the devil; that there was no religion in it; said he had said this before leaving the community. When I asked him how he could reconcile that with the fact that he went out to establish the "*Theocrat*," and advocate their views, he said that was while he still was a member of the community and still believed in it, and wanted to become an independent leader, that he then believed that if he could get at the head of a newspaper of that kind, he would become an influential leader. He said, while he was on the matter of the "*Theocrat*" he consulted persons connected with prominent newspapers in New York about getting it up, and, as a general rule, they discouraged him in the attempt; that no one really favored it. Upon questioning, he said he had very strong sexual passions, and that he had indulged them very freely; that he had had venereal disease. Inquiring, again, about his divorce, I asked him if Judge Pratt knew the fraudulent manner in which the divorce was obtained. He answered quickly, "not by any means. It was not any of his business. The object was simply to get a legal divorce. That was all he had to do with it." I asked him how he reconciled that act with his assertions of constant religious life. He said he thought it was just about as religious an act to get rid of a woman when he did not want to live with her, as to remain; that they had no children, and that she could find somebody else she would suit better, and added, "she has done so, and has children, and I am glad of it"; said he cared nothing about her; had never taken any interest in her after they had separated—nearly a year before the divorce; said he had been a

member of Mr. Beecher's church in Brooklyn, and was also a church member in New York. I asked him if he had diselosed his conduct in regard to the divorce. He said, no; he had kept it out of the newspapers; that he did not want to ruin himself for nothing. I asked him why he went back to Chicago, after the divorce from his wife, where everybody would certainly know him. He said, that was a matter of no consequence; that the influence of the New York *Herald* ruined him in New York, and even followed him to Chicago; said the trouble with him in Chicago, and everywhere else, was lack of money. I asked him what kind of law business he did—whether he appeared in courts or what. He said it was mostly in collections—collecting debts.

I asked him about his services for the six years he had been in the Community. He said he had got nothing for his services. That his father had really kept him there during that time; he would have left himself long before. He said he went to New York from there and commenced reading law; that was in November, 1866. He remained there until August, 1867, paid his way with the \$1,000 he had got out of the Community; used it up at that time; then went to Chicago and stayed a while with Mr. Scoville, from August to November, 1867; then returned to New York and continued reading law until March, 1868.

Q. Did your father give you money in all this time or aid you?

A. No. I never had anything from him. Scoville lent me some money.

Q. I see in the law journal which I have read, to which you referred, it is claimed your father aided and tried to support you during that time?

A. There is not a word of truth in that. He never gave me anything in the way of aid.

Q. What did you do for money?

A. Mr. Scoville loaned me money, and finally I settled with him and gave him my note for \$200.

Q. What did you do next?

A. I went into General Reynold's office April 1st, 1868, and I was there in that office until I was admitted to the bar in August, 1868.

Q. What next?

A. I practiced law in Chicago till June, 1871.

Q. How did you get along?

A. First-rate, and had I remained I should have got into a good business.

Q. Where did you go?

A. I went to California for a month and saw there were no chances there. Then I returned and went to New York and opened a law office there and practiced between three and four years until the fall of 1874.

Q. Why did you quit practice then?"

He then detailed the difficulties he had with the New York *Herald*, which he said in the end broke up all his business. After this he went back to Chicago and then concluded he would try to get into journalism; said that he had no means and after trying this and that and finding he could get no business men to help him, he concluded to go on with the law.

"Q. In the meantime, then, while you were trying to get into journalism you were practising law, were you?"

A. More or less successfully. He added: "That is an important point bearing on the question of insanity, because there I was doing well. I had a first-rate business which I left then and went into theology. You see I was restless and uneasy, like a woman in child-birth. I had something in me and had to get it out, so I left law business and went lecturing but I had little reputation and I had but little success. People did not want to hear me.

Q. What did you lecture about?

A. Oh, I had written my lectures out beforehand.

Q. Where are those lectures?

A. Oh, they are the lectures that are contained in this book called "Truth."

Q. When was all this?

A. I wrote my first lecture in December, 1876. I delivered it in Chicago in January, 1877.

Q. What was that?

A. That was on the second coming of Christ.

Q. Where did you deliver it?

A. I delivered it in the First Presbyterian Church, Chicago.

Q. Were you invited to do it?

A. No ; I rented the church for \$25. I advertised for about the same amount and I took in \$1.80."

He then said :

" If you will look, I have gone over this pretty fully in the *New York Herald*."

Q. When did you deliver the next lecture?

A. In May, 1877, at Evanston, a suburb of Chicago, in the Baptist Church, to quite a good audience.

Q. What did you receive there?

A. It was free, and there were three or four hundred there.

Q. In the meantime what business were you in?

A. Oh, I was practicing law ; doing first-rate. If I hadn't got off on this theology, and I would repeat again that that is a point bearing on the question of insanity.

Q. How long did you lecture then, and where?

A. Well, I went out about, but you see I had no reputation and had but little success, as I have told you before.

Q. When did you write your next lecture?

A. Well, some time afterwards I wrote two more, one was on Hades and the other on the Final Judgment. This last I delivered in Bridgeport, Conn., for the first time in February, 1878. I had quite a fair audience. It was Sunday night.

Q. Did you make anything on that?

A. Oh, no ; I and the man who arranged it were to divide the profits, but I took in so little that he got nothing for the expenses and took all the receipts.

Q. Did you give up lecturing then?

A. Well, I delivered the same lecture in Boston about the same time and with the same result.

Q. Why did you go to Boston to lecture from Bridgeport?

A. Well, I thought it was a good time and place. I thought I might make out a good reply to Col. Ingersoll's attack on the Bible and his lecture on Hell.

Q. Did you deliver this lecture again?

A. Not after this.

Q. When did you write the next lecture?

A. Well, I wrote another lecture on St. Paul, in Milwaukee, Wis. This I think was in 1878. I delivered that once, and tried to deliver it at Madison, but had a very small house.

Q. Then did you give it up?

A. No ; I went to Davenport, Beloit, Dubuque and other places, but I could not command any audiences and I gave the whole thing up.

Q. Did you ever lecture anywhere else?

A. Yes ; at this time I lectured in a great many places around the country, or tried to.

Q. But you gave it up?

A. Yes; I had no audiences. A man must have a national reputation.

Q. Where are those lectures now?

A. Well, as I said before, they are printed in my book "The Truth." That book I worked on for five years.

Q. Did your book meet with a good sale?

A. No, very little sale. I sold it myself in the various places as I went round the country.

Q. I saw a copy of one of your lectures in Utica?

A. Oh, that was only a small lecture. I hadn't much success there. I went through Otsego county and Oneida county. I didn't push the matter then. I didn't find much encouragement in Utica.

Q. Whom did you see there?

A. Well, I saw there a Mr. Blackie and the Rev. Mr. Brown, but I didn't sell my books much there. I was at the rooms of the Young Men's Christian Association.

Q. Then, from 1876 to 1879 you did not accomplish much?

A. No, I lived rather a precarious sort of life. I was always well. Had anything I wanted in the way of eating.

Q. Did you finally abandon theology?

A. Yes, I finally abandoned theology. It would not pay and I could not work up a reputation.

Q. What were you next engaged in?

A. Oh, I kept along in insurance business, and then in 1880 I concluded to go into politics. But this part you will find in the *New York Herald* of October 6."

I then read to him the question that I had taken down the day before as follows :

"I knew from the time I conceived the act if I could establish the fact before a jury that I believed the killing was an inspired act, I could not be held responsible before the law; that the responsibility was on the Deity and not on me, and that in law is insanity."

I asked him if he had anything to say to that now more than he had yesterday. He said that he did not like the first part, and wished it was out. I told him I took it down word for word as he gave it to me, and that I had then read it over to him. He replied: "That is so, but now I wish it was struck out." I said: "It was in answer to my question: 'How did you come to think of insanity

as a defense; when and where did it occur to you?" He replied: "Yes, I remember it; but I would like to modify it by saying that I had no particular thought as to the effect of my act. The only point in my mind was to execute the Deity's will." I read this over to him, and he then said: "I would like to explain that part in regard to my first answer, because I don't like to have it appear as though it had been calculated beforehand as a defense; as though I had prepared for the deed and then deliberately carried it out." While saying this he got up and walked about the room. He then said: "The first part of that don't look well." I said: "It's just as you gave it." "Yes, but I don't like it," he returned. I then said: "I still fail to see how you can show that as a fact; and insanity is not a theory; it is a disease. A fact as much as relates to any disease." To this he said: "I will put in my book in evidence of my belief, and that will come in as a fact in the case, as I there claim inspiration." "Yes," said I, "but you have already declared that your religious ideas, including the inspiration and the Second Advent doctrine, you got from your father; you admitted to this before and it was the teaching also of the Community. How is your book on this subject inspired more than any sermon or any other book on religious duty or faith?"

"A. Because I wrote it under inspiration and to save souls.

Q. But you said that you were started on it by the Rev. Mr. Kittridge, who made some remarks in a sermon on this subject and you then determined to study it up and went to a library and looked up authorities and then wrote on the Second Advent. Now where is the special inspiration in all this?

A. No one before had ever fixed the date of the second coming at Anno Domini '70. The destruction of Jerusalem. Then I have claimed it as a spiritual coming not a physical.

Q. I fail to see any inspiration in that?

A. Read my book and especially the revised edition which the district attorney took, and you will see how I put it.

Q. I notice that you say that this book will have a large sale?

A. I said there would be a great demand for it after the removal of the President and if it had got out then it would have had a great sale.

Q. In the law journal you referred me to it is stated in substance, that you, while in the Community, were in the habit of representing yourself as some great personage, and that you hung up a card or put on labels this: 'Charles J. Guiteau, Premier of England, will deliver a lecture in St. James' Hall, London, England,' or to this effect: I don't recall the exact words, but this is the substance and mainly the words."

He took my note-book and wrote: "I pronounce the above statement absolutely false.—Charles Guiteau." I then referred to some letters of Mr. Noyes and a letter from his father to Mr. Noyes contained in this law journal, and the statement that Mr. Noyes had said that Guiteau had a genius for mischief.

A. The animus of John H. Noyes in his letter comes from the fact that I left the Community and he was angry. His statement that I have a genius for mischief has no foundation in anything I did. It only arose from my general opposition in the Community and my leaving it. Noyes' idea was, that in letting me go he would lose a bright and shining light, and he did not want me out knowing all I knew. Then, he believed that any one who left the Community was a child of the devil.

Q. In that same journal you are represented as being cared for and supplied with money by your father in Chicago.

A. It is not true. He never did anything for me. Who says that?

Q. The reporter represents that he got it from General Burnside.

A. Well, it is not true. That Burnside is in public office in this city.

Q. Were you ever abroad?

A. No, never.

Q. In that same journal the reporter represents you as going abroad to study socialistic doctrines.

A. That is not true.

Q. Did your father deliver lectures in the West and Southwest; for this journal also states that as a fact?

A. No, as I have said before, he only talked in Freeport on the Community ideas and perfectionism."

As this law journal referred to cases of assassination beside his own, I asked him if he had read anything on

socialism and assassination ; he said no ; I asked him if he had read of Mazzini or Rizzio or Passanante ; he said he had never heard the names of any of them. I asked him if he had read anything about Oxford, who shot at the Queen, or of Bellingham, who killed Lord Percy, or of Lawrence, who attempted to kill President Jackson ; he said he had read about Lawrence and something of the others in law books and jurisprudence, but that his removing the President was a very different thing from any of these acts. Other subjects were discussed and I went over some of the matters mentioned in different ways. He never failed to recognize the same subject and matter quickly however differently at different times I put it, and to say "I answered that before."

During this interview he, a number of times when I paused between subjects, said : "Remember the inspiration and the Deity are my defense." He manifested no excitement at any time in this interview or previous ones ; he gave the information freely, but at this last interview seemed a little anxious, and pressed the idea that he was insane ; said he should not do the same thing over again ; that he would not do it again for any amount of money.

My examination was made with a view of getting the whole history of his life, from his childhood, as far as he knew about himself, of his deportment and education in boyhood, of his occupation then, of any diseases of childhood and boyhood, and thus his complete history ; also as far as possible to get at his mode of thinking, the motives that governed and controlled him in his acts, his disposition ; and his relations to his family. From all the facts detailed by him to me, from my observation of his manner, my judgment was that he was not a person of weak will, but self-will, with a strong persistent determination in the direction he chose. At least, I could discover few instances in his history where he had been influenced by others. He maintained his own purpose and determina-

tion in going to Ann Arbor against his father's remonstrances and appeals. His father said he was not able to educate him, and he proposed to use his own patrimony—a small amount given him by his grandfather. At Ann Arbor, getting interested in the Oneida Community's religious views from reading the letters of his father, he manifested the same quality, resisting his sister's appeals and the opinions of others at Ann Arbor. Having determined to go, he went. His whole history while at the Oneida Community was that of self-will and self-guidance; however ill-advised his course was, it was his own. After leaving the Community he pursued the study of law under constant difficulties and without aid from his father, even against his father's wish, and persisting got some aid from his brother-in-law, until he was finally admitted to the bar. Here he manifested will, determination, and perseverance. In his life thus far there is evidence of self-control and capacity of such control. Conjoined with this he had over-weening vanity and conceit.

I was unable in these interviews, taking his whole life from his boyhood up, to discover the slightest evidence of insanity, nothing beyond simple desire for notoriety and self-consequence and for an easy way of making a living. Up to this time from questions, however directed, he never referred or alluded to a single act of kindness or unselfishness to anybody or any favor done, or visit to a sick friend, or to having in any wise aided or assisted any one. He appeared to be destitute of generosity of sentiment where his own personal ends and personal gratification were not concerned. His egotism cropped up at every point, and frequently in speaking of the time he was in the Oneida Community he took pains to say that he considered himself at least quite as able as the leaders there; that they opposed him and really kept him down; but egotism is not insanity.

He claimed that what he needed there to bring him out

was the opportunity of intellectual work, and that if the Oneida Community had put him on their paper and to writing and studying instead of manual work he would have got the necessary education and training to become a leading writer. I am satisfied he was thoroughly demoralized by his life in the Oneida Community. Though he undoubtedly went there honestly believing in their views as a religious faith, he soon sank into sensualism and his "crucifixions" there were evidently largely of the flesh, in not being permitted the unbridled sway of his passions. The other point in the "crucifixions" was that he believed he was not appreciated by the leaders; that he was constantly put in positions where he was kept down in every way, and criticized unjustly when he did attempt any literary labor.

This contention and struggle there showed very conclusively his determination and power for good or evil in the direction of his life. Whatever the religious fanaticism which brought him into the Community, it was there developed in the midst of sensualism, contentions and self-conceit and laid the foundation for the after character of religious ranting, hypocrisy and his dishonorable conduct. He boasted to me that he neither drank, nor swore, nor used tobacco, and cited this as an evidence of the religious training of the Oneida Community. I consider his divorce and the manner in which it was obtained one of the strongest evidences of his utter demoralization—of his utter and wilful disregard of law and duty. How he deliberately connived to commit a crime against his wife for the purpose of getting rid of his obligations; and this goes to show his competency to do an act of wickedness deliberately performed.

Following up his whole history given by himself, I see nothing but a life of moral degradation, moral obliquity, profound selfishness and disregard for the rights of others. I see no evidence of insanity, but simply a life swayed by

his own passions. He voluntarily abandoned himself to the gratification of his passions and self-indulgence in every way.

In all his wanderings, lecturing, &c., he looked out for good living and did not go to the obscure and out-of-the-way places where this could not be had. No religious sacrificing or self-denial anywhere and he always sold his books at a profit. This case illustrates how a man's conscience may become more and more blunted and his character steadily undermined by a life of indulgence and selfish and depraved thoughts.

Passing over other details down to the campaign of 1880 he certainly manifested no other characteristics than he had through life, doing as little as he could in the way of labor, lounging about comfortable places where he could get room and reading, without cost, for a little flattery and talk ; was entirely satisfied with getting up a speech and getting it printed, expecting it to be distributed gratuitously by the National Committee so that he could get large advertisement and get his name associated with distinguished persons. He was able there to *understand* and *acquiesce* in the reasons of the committee for their not assigning him to speak. During that period he did not bring forward his *theology* or even peddle his *books*. All that part of his life he kept in the background.

Following this period, *looking particularly to the question of self-control and self-direction* he dropped the Austrian mission at once when he saw Mr. Blaine was in the Cabinet, "because it would be given to a Blaine man." Here he reasoned, exercised judgment and self-control, and acquiesced.

He then took up with the Paris consulship. Did not demand it as an inspiration or divine right, or because "he was a lawyer, a politician a theologian and wanted to save souls." He admitted to me that he said nothing about religion during all that period to any

of the persons with whom he was seeking for favor and office. He pressed his application on his speech and party services. Small men often ask for large places. This is not insanity. He said nothing about inspiration when Secretary Blaine rebuffed him; did not manifest anger openly or go to his friends with it; did not attack Mr. Blaine in any way. He *controlled* himself because it was his interest to do so. He had no insane fury after the President had also practically ignored him. After the President said he could not see him he had no difficulty in understanding it and reasoning that that was his last opportunity. He made no outburst, *emotional or otherwise*, of any kind, there or to any one. Made no remark at the moment.

When the idea flashed over his mind of removing the President it was not followed by *an act*. It was followed by *reflection*, turning it over and over, making new trial for the consulship and writing letters. *Here was reason, self-control, reflection*; no divine mission then. The criminal idea came into his mind at night, as it does generally with criminals, when alone and thinking over his own disappointments. No impulse here to do an act under any pressure: "If I can get the consulship, I will not do it; if I don't get the consulship I will." This was simply personal motive. From the standpoint of his life, character, social and moral status and his overweening vanity it is easy to see how he could have contemplated such an act for revenge and self-glorification; that he did not count well and wisely in the matter is only because the criminal is often weak in judgment. Murders of state have been committed in all time by greater and smaller persons than Guiteau, with the same purpose and the same result. This is history.

I consider it proper to say that no madman, under the insane delusion of being divinely inspired, would have taken this course. It is probably true that he imbibed

angry sentiments and feelings from reading the newspapers and these helped to bolster his own criminal thoughts and intent. But they were not the origin of the inception of this crime. All his personal aspirations were blasted; his vanity was wounded; then the idea came to him of making way with the President whose failure to recognize him had accomplished this. It came across him first as an impression and was entertained. This is the *rationale* of the development of crime; lodge the impression and entertain it and it will ripen into action. It startled him at first but the more he thought it over the more he accustomed his mind to the contemplation of the crime the easier it became. He spent two weeks at this; no flash of a divine inspiration, but a deliberate contemplation. After failing to get any reply or even any notice of his letters to the President he settled his mind thoroughly in the intention, "My mind was thoroughly settled in the intention."

The solution of this period of the inception of the crime *is the point in the case*. That this was his own work there is no doubt in my mind. There is not the first shadow of evidence of insanity—not a shadow of a shadow of insanity. The claim of inspiration—the influence of the political situation—all that came afterwards, and was an excuse formed in his mind for the act. How to excuse himself to himself, and how to justify himself to the world; his vanity did not allow him to think of revenge and oblivion; what he wanted was revenge and notoriety. To my mind this is the whole of the crime. His preparing his book for a large circulation and sale is evidence of vanity, and the belief that he could get off from punishment for murder, by taking advantage of the political agitation in the Republican party, and the fact that it would be considered a political crime, and, also, his preparations in procuring the weapon, and every detail connected with it; all his conduct; the

change of purpose from time to time, as to the time and place of killing ; his provisions for his personal safety, everything, indeed, in detail down to the final act of killing, are the deliberate work of a criminal intent. There is no phase or characteristic of insanity associated with it at any point, and certainly no evidence of impulse or pressure or guidance of any will, human or divine, except his own.

His working himself up to it, his waiting for a good chance; these are strong evidences of criminality, and utterly against any claim of being under an insane delusion of a pressure or influence from a Divine Power. If insane, as he claims, he would not recognize himself as under delusion. The more I consider the case the more thoroughly satisfied I am of the correctness of the opinion I gave you and your associate counsel; *that the man is entirely sane and fully responsible*. I have thought of the question which you propounded in the evening after the close of the last interview, that is, how "to reconcile this act in all its elements of motive, of conception, and development into an intent and all its progressive stages to its consummation, with the acts of ordinary criminals." This crime, as I look at it, contains in it all the elements, mental and moral, which are found in the origination and accomplishment of crime ordinarily. It originated in the heart of this man, and his own contemplation lead him to its commission and to personal justification of the act afterwards.

This question requires for its answer only the ordinary *rationale* of crime. The possibility of crime is shown by the facts of history. The fact that the laws of all nations provide for its punishment is sufficiently conclusive of its existence and of man's responsibility for his acts before the civil law. The law takes no cognizance in excuse for crime, of pleas of conscience, or religion, or of political or other re-

venge. To account for crime is a problem which has not been solved.

Compared with some murders, this is strong in motive and mild in brutality. Take, for instance, the case of a man who murders his mistress—the case, for illustration, of the Italian in New York, who in cold blood murdered in a brutal manner his mistress because she rejected him.

The fact is, we cannot reconcile any crime with humanity, except by taking the standpoint of the criminal himself in each case. All that medical science has to do in any such case is to say whether the deed springs from disease or not. If it does not, the man is responsible, however ghastly, seemingly purposeless or vindictive the act may be.

In concluding this report I desire personally to express my thanks for the high confidence reposed by you in my professional judgment, in submitting this important question to me for my determination, and especially as you informed me it met the concurrence and hearty approval of the eminent counsel associated with you in this trial, the Hon. John K. Porter, of New York, my own State, and W. D. Davidge, Esq., of Washington City.

JNO. P. GRAY.

NOVEMBER 12, 1881.

